

CITY OF EUREKA
CITY COUNCIL / EUREKA REDEVELOPMENT AGENCY
AGENDA

Regular Council/Agency Meeting
Tuesday, May 2, 2006
Closed Session - 5:30 p.m.
Regular Session - 6:30 p.m.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET
EUREKA

Adjourned Council/Agency Mtg.
Thursday, May 4, 2006
Closed Session - 5:30 p.m.
Regular Session - 6:30 p.m.
CITY COUNCIL CHAMBERS
CITY HALL - 531 "K" STREET, EUREKA

All persons in attendance at public meetings are requested to observe the following rules of civil debate:

1. We may disagree, but we will be respectful of one another.
2. All comments will be directed to the issue at hand.
3. Personal attacks are unacceptable.

ACCESSIBILITY NOTICE: The meeting room is wheelchair accessible. Accommodations and access to City meetings for people with other special needs must be requested of the City Clerk at 441-4175 in advance of the meeting. This agenda and other materials are available in alternative formats upon request.

ROLL CALL

CLOSED SESSION NOTE: Closed Session will commence at 5:30 p.m. with a 6:25 p.m. curfew.

A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Significant exposure to litigation: one case.

Pursuant to California Government Code Section 54956.9(b)

C. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Fisherman's Terminal property, APN 001-011-014

Agency negotiator: David Tyson for the City of Eureka

Negotiating parties: J.P. & Associates, Inc.

Under negotiation: price, terms, and conditions.

Pursuant to California Government Code Section 54956.8

D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Fisherman's Building property, APN's 001-054-024, -028,
-029, and -030

Agency negotiator: David Tyson for the City of Eureka

Negotiating parties: Eureka Waterfront Partners

Under negotiation: price, terms, and conditions.

Pursuant to California Government Code Section 54956.8

REGULAR SESSION – 6:30 P.M.

INVOCATION -- Andy Broese Van Groenou, Pastor-Harvest Church and
Senior Chaplain Humboldt County Sheriff's Office

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR'S ANNOUNCEMENTS

Presentation of Proclamations: "National Day of Prayer" May 4, 2006

COUNCIL REPORTS

PUBLIC HEARINGS

1. Appeal of an off-street parking variance request from Robert Pfanenstiel to permit a “meeting hall” at 710 A Street in Eureka (V-05-019).

Recommendation: 1. Hold a Public Hearing

2. Certify the Draft Mitigated Negative Declaration

3. Adopt the proposed Mitigation Measures, Monitoring and Reporting Program as described in Exhibit “A”

4. Adopt the Findings of Fact as described in Exhibit “B” and;

5. Approve the variance request.

(Community Development Director)

2. Public Hearing – Unmet Transit Needs.

Recommendation: 1. Open public hearing regarding unmet transit needs within Eureka city limits.

2. Close public hearing.

3. Direct staff to forward a transcript of comments to the Humboldt County Association of Governments (HCAOG) for inclusion in the 2006-07 Unmet Needs Report of Findings.

(Finance Director)

PUBLIC COMMENT PERIOD

NOTE: This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. You may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to City Council Minute Order dated May 4, 1989, City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Pursuant to City Council Minute Order dated June 6, 2000, the public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.

Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

3. Is there any person in the audience who wishes to address the Council at this time?

CONSENT CALENDAR

Notice to the Public: All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.

4. Council meeting minutes.

Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of April 18, 2006 and the special meeting minutes of April 13, 2006 as submitted.

(City Clerk)

5. Claim for damages – Dinsmore, Steve.

Recommendation: Reject the claim for damages – Dinsmore, Steve.

(City Attorney)

6. Resolution adopting the National Incident Management System (NIMS).

Recommendation: 1. Approve and adopt the resolution adopting the National Incident Management System (NIMS) as required by the Homeland Security Directive #5.

2. Direct Staff to develop a NIMS Training Implementation Plan.

(Fire Chief)

7. City Hall Boiler Room and Penthouse Asbestos Removal Project – Bid No. 2006-18

Recommendation: Award Bid No. 2006-18 to lowest responsive bidder, North Coast Environmental Construction, Inc., in the amount of \$10,500 and approve a 10% contingency in the amount of \$1,500.

(Assistant City Manager-Operations)

8. Extension of Provisional Appointments.

Recommendation: Approve by four-fifths vote to extend the period of two provisional appointments currently filling Police Records Specialist position #4 by an additional sixty (60) days and position #1 by an additional ninety (90) days.

(Police Chief)

9. Fisherman's Terminal Mitigation- Truesdale Pile Removal – Award of Construction Contract.

Recommendation: 1. Council and Redevelopment Agency declare Figas Construction of Eureka, California low bidder; and
2. Council and Redevelopment Agency award the contract for the Fisherman's Terminal Mitigation – Truesdale Pile Removal, Bid No. 2006-5 to Figas Construction in the amount of \$65,600; and
3. Council and Redevelopment Agency approve expenditure in an amount not to exceed \$75,000 to fully fund construction of the project, including a 14% contingency.

(City Engineer)

10. Mad River Pipeline - North Arcata Section - Bid No. 2006-06.

Recommendation: Authorize staff to prepare and execute an agreement for construction staking, soils testing, construction inspection, and engineering services during construction for the Mad River Pipeline - North Arcata Section project, Bid No. 2006-06, with Oscar Larson and Associates of Eureka, CA for an amount not to exceed \$167,000.

(City Engineer)

11. Humboldt Sponsors Grant Award.

Recommendation: Accept \$3,500 in grant awards from the Humboldt Sponsors Organization in support of the Recreation Division's 2006 Summer Programs for Youth.

(Assistant City Manager - Operations)

12. Telecommunications Resolution.

Recommendation: Adopt a resolution addressing vital community interests in the telecommunications services industry.

(City Manager)

REPORTS/ACTION ITEMS

13. Utility Users Tax.

Recommendation: 1. Continue the Utility Users Tax Ordinance including current provisions for 3% tax rate, \$1,000 annual maximum, low-income exemptions, and tax applied to current utilities; and set sunset clause to expire in eight years.

2. Provide direction to staff regarding additional actions to be taken.

(Finance Director)

14. Discussion regarding St. Joseph's Hospital restructuring and potential layoffs.
(City Council)

15. Resolution of the City Council of the City of Eureka encouraging reducing costs of transportation service for students of College of the Redwoods.
(Councilmember Kerrigan)

16. Resolution of the City Council of the City of Eureka in support of same-sex civil marriages with full equality of rights and privileges as any heterosexual civil marriage.
(Councilmember Kerrigan)

CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

ADJOURNMENT

NOTE: If open session items cannot be completed by 10:00 p.m., the meeting will be continued to the adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.

If closed session items cannot be completed by 6:25 p.m., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the adjourned regular meeting on the following Thursday, as noted above on the heading of this agenda.